



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Public Hearing to consider appeal received from Richard Gerlack, et al. regarding Planning Commission's decision on Negative Declaration #98-09 and Growth Management Plan #GM98001, Vintner's Square Apartments, 1265 Lower Sacramento Road

MEETING DATE: December 16, 1998

PREPARED BY: Community Development Director

RECOMMENDED ACTION: Uphold the Planning Commission's decision to approve the Vintner's Square Apartment Complex Development Plan subject to the conditions set forth in Resolution No. P.C. 98-20.

BACKGROUND INFORMATION: The Vintner's Square Apartment Complex Development Plan is located at 1265 Lower Sacramento Road. The area of the development plan encompasses approximately 12 acres and is zoned R-2, Residential Single-Family. The development plan is bordered by Taylor Road to the north, future development of the proposed Vintner's Square Shopping Center to the south, Lower Sacramento Road as the eastern boundary, and agricultural land in the County making up the western boundary. (see vicinity map).

The project includes a total of two hundred (200) apartment units, an office and recreation building, two swimming pools, and two tot-lots. The 200 units will be developed throughout the 12-acre site within fifteen separate two-story buildings. One hundred (100) of the apartment units will be single bedroom, +/- 580 square-feet in size. The remaining 100 units will be two bedroom, +/- 850 square-feet in size. The Planning Commission added a condition to their approval, "That three bedroom units be added to the project. The number and location shall be determined by staff with approval of Site Plan and Architectural Review Committee (SPARC)." Four hundred fifteen (415) off-street parking spaces are proposed, with 200 of the total consisting of carports. The proposed number of parking spaces exceeds the City's parking requirement of two parking spaces per dwelling unit. The 200 carport spaces have been provided when none are required.

The main entrance to the apartment complex will connect to a private driveway that will intersect with a new traffic signal on Lower Sacramento Road. The traffic signal on Lower Sacramento Road will be located approximately 690 feet north of the centerline of Kettleman Lane. The signal will serve the complex as well as the eventual development of the shopping centers on both the northwest and northeast corners of the Kettleman Lane and Lower Sacramento Road intersection. Secondary access to the complex is proposed to be from a driveway on Taylor Road approximately 300-feet from Lower Sacramento Road. Although it is not required with the development of this project, the City's Circulation Master Plan includes a public street connecting Taylor Road to a traffic signal on Kettleman Lane. As specified by Caltrans the traffic signal will be located a minimum of 1,000 feet west of Lower Sacramento Road. The new public street will be installed upon future development of the Shopping Center to the south and will intersect Taylor Road west of the apartment complex. The complex has been conditioned to provide a driveway to the future street when it is developed. Traffic within the project will be along 25-

APPROVED: _____


H. Dixon Flynn -- City Manager

foot wide private driveways flanked by parking stalls and carports. The project is a gated community so no public traffic will travel through the project from Taylor Road to the Shopping Center (see site plan).

The development plan is proposed at approximately 17 dwelling units per acre with 22% lot coverage from the apartment buildings, office/recreation building, and carports; with 26% lot coverage from parking and driveways; and with 52% or the remainder of the land consisting of landscaping and recreation areas. To put the project's density and general character in perspective comparisons may be made with the Fountains apartment complex on Sylvan Way or the Woodlake apartment complex on Eilers Lane. The design of the complex is consistent with the proposed R-MD, Residential Medium-Density zoning; however, is not consistent with the existing R-2, Single-Family zoning. Pre-zoning and annexation in 1996 established the low-density zoning as part of the Crossroads Reorganization/Annexation. If the development plan is approved, further approvals of a general plan amendment from LDR, Low-Density Residential to MDR, Medium-Density Residential, and a zone change from R-2, Residential Single-Family to R-MD, Residential Medium-Density will be required.

PLANNING COMMISSION ACTION

This development plan was reviewed by the Planning Commission at a regularly scheduled public hearing on October 14, 1998 to consider approvals of this years Growth Management Development Plan applications as well as the project's subsequent requests for building permit allocations. The project was presented to the Planning Commission in detail by Staff and was discussed amongst the Commissioners at length. Members of the neighboring community were present to voice their concerns about impacts on traffic, on property values, schools, the general rural atmosphere of Taylor Road, and the quality of the project itself. The Planning Commission took all of the concerns of the neighboring community into consideration when making their decision to approve the project with conditions as recommended by Staff (see minutes and resolution).

The Planning Commission based their approval of the project on facts that will be outlined in the remaining sections of this report. We believe the Planning Commission approved the Development Plan because it is conditioned to install all of the required infrastructure, it is designed to be sensitive to the surrounding neighborhood, the design and architecture will be reviewed in further detail by the Site Plan and Architectural Review Committee, and most importantly because it suits the City's goals to provide alternative housing in an ideal location which is mandated in the City's General Plan.

ANALYSIS:

The Vintner's Square Apartment Complex was first introduced to staff as a high-density apartment complex with 241 units and three story buildings. The design had small setbacks and unrealistic plans to have its main access directly to Lower

Sacramento Road. Staff discussions with the applicant helped to resolve major design issues that make it more realistic and an asset to the community. A few notable design features are; a 50-foot landscaped setback and an 80-foot building setback from Lower Sacramento Road, a minimum 20-foot landscaped setback along Taylor Road and the south and west boundaries, and that the main project entry access a traffic signal.

The project area land use was established a couple of years ago as low-density single-family residential. The project area at that time was outside of the City Limits but within the City's General Plan sphere of influence. The land was designated PR, Planned Residential. The PR land use designation includes all

undeveloped land outside of the City Limits that was found to be necessary to meet the future demand for the development of low, medium, or high-density residences as well as parks and public uses. The PR land use designation establishes the general use of residential without specifying whether the density is to be low, medium, or high. One could ask, "If all of the land designated PR in the General Plan does not have a specific density, how do we determine how much land is necessary and what locations are best for certain densities?" The General Plan Land Use and Growth Management Element and Housing Element both provide direction on how much of the land designated PR should be used for low, medium, and high density development, and the ideal locations for it. The General Plan policies from the Circulation Element and Parks and Recreation Element also provide this direction.

From these four elements there are many policies that are the mandates the City has placed upon itself for its logical and planned development to the year 2007. Not only do the policies provide a guideline, but also many have been adopted to ensure that the City is in conformance with State and Federally mandated housing requirements. In order to provide a background of the policies in the General Plan that relate to the development of this project, we have summarized them in Appendix A.

The policies were established back in 1991 with the General Plan and have since been implemented as an integral part of the City's Growth Management Ordinance. The Growth Management Ordinance has been in effect for the past 7 years; however, the City has not been able to attract any multiple-family developments. The review of this project's development plan is required by the Growth Management Ordinance, which was established by direction from the General Plan. The City is simply not meeting its goals and this project is an opportunity to provide for what has been neglected.

Although the land of the project site was originally assigned a low-density residential zoning and land use designation, approval of this project and its subsequent zone and land use changes to medium-density will not be in conflict with the goals and policies in the General Plan.

TRAFFIC CONCERNS

When the apartment project was originally introduced to Staff we had many concerns with its design. One of our primary issues was with how the design would impact traffic in the immediate area. Due to our concerns we were able to work with the applicant to redesign the project to remove direct access to Lower Sacramento Road and limit access to Taylor Road. Because of the nature of an apartment complex Staff was able to suggest that the applicant design the complex with its main driveway connecting to the signalized intersection on Lower Sacramento Road. To further remove the potential traffic impact on Taylor road, Staff included a condition of approval to design the westernmost access to Taylor Road as a emergency vehicle access only, and to prepare an access point to the public street that will eventually be located near the western boundary of the project site. We believe that these design options are not possible with a single-family subdivision.

The existing low-density residential zoning is configured in a narrow "L" shape that would be very difficult to subdivide into a marketable single-family residential subdivision. The irregular shape of the property would make it difficult to design without requiring a reverse frontage situation on Taylor and Lower Sacramento Roads. It would also create undesirable traffic situations where access to the subdivision would likely be from streets intersecting Taylor Road and a street accessing Kettleman Lane. We believe the development of a single-family residential subdivision would put more traffic on Taylor Road than the project proposal.

A traffic assessment was performed by kdAnderson Transportation Engineers to compare the amount of traffic that would be generated by the proposed apartment complex and development under the existing low-density residential designation (see attached). As one can see in Table 1, page 2, of the study, the number of daily trips are close with around 1,326 from the apartment complex and around 1,190 for the 17-acres of low-density residential. The study compared the morning and evening (peak-hour) trips and also found them to be close. From the study one should find that the development of either the apartment complex or the low-density residential subdivision would create nearly equal traffic impacts. One issue that the traffic study does not point out is that the apartment complex is designed with its main driveway accessing a traffic signal. This option would not be available for the development of a single-family residential subdivision.

Another policy of the General Plan's Land Use and Growth Management Element that relates to both land use and circulation is that "the City shall encourage higher density housing to be located in areas served by the full range of urban services, preferably along collector, arterial, and major arterial streets, and within walking distance of shopping areas." Six travel lanes with a median are proposed along the length of Lower Sacramento Road within the City limits as part of the "Special Purpose Plan for Lower Sacramento Road." Please note that the "Special Purpose Plan for Lower Sacramento Road" and its design criteria were established to meet the traffic needs of the community and were not modified to accommodate the proposed apartment complex. Given that the project site is located adjacent to a large thoroughfare and that it is as near as one could expect multiple-family housing to be located to the full range of urban services, we find that the property is more appropriate for the development of the project proposal than for single family homes.

Due to the importance of the circulation system, there are many conditions within the resolution pertaining to the installation of infrastructure. (see resolution)

PUBLIC CONCERNS

As stated briefly in the Planning Commission review section above, concerns from members of the neighboring community were expressed. Staff's recommendation is based on a complete analysis of the project taking into consideration the environmental, local, and citywide impacts and benefits. We understand and embrace the concerns of the Community and would like to provide some brief responses to their questions and concerns.

A major concern of the neighboring residents is that the project will create traffic impacts. We would agree that the development of this project could have an impact on the existing traffic of the project area if there were no plan for additional improvements. However, the City's Circulation Master Plan and Specific Plan for Lower Sacramento Road specifies that Lower Sacramento Road from Turner Road to Kettleman Lane be designed as a major thoroughfare. This project is conditioned to provide this planned infrastructure including, curb, gutter, sidewalk and additional right-of-way on the west side of Lower Sacramento Road, as well as the traffic signal for its main driveway. Furthermore, it is important to know that Lower Sacramento Road in the project area will be installed according to these plans whether this or another project is approved.

We believe that the concern of neighbors that the presence of apartments will lower their property values is unfounded. We believe there is no correlation between the location of an apartment project and the value of nearby residences. Staff believes that the applicant is committed to developing a quality project with the management necessary to maintain a quality project that will be an asset to our community.

Another concern of the neighbors is that the apartments would impact City Schools. Whether the project area develops as an apartment complex or single-family residences, either will produce school age children. The Lodi Unified School District is empowered to decide whether a development project will significantly impact their ability to provide facilities, and the school district has made no such comment about this project. The applicant has an approved agreement with the School District to provide school facilities funding. The school district has stated that this agreement is sufficient.


Staff shares the concern of the neighbors about the quality of the proposed project and for this reason we have worked very closely with the applicants to help them design a project that exceeds every City standard. In addition to the proposed design, which we believe fosters a quality project, the design will be reviewed by the Site Plan and Architectural Review Committee for the details of its architecture, landscape, and construction materials.

Finally, Staff would like to comment on the neighborhood concerns about impacts on the general rural atmosphere of Taylor Road. Numerous public hearings have been held with regard to the future development of the subject property dating back to the early 90's, when the property was included in the City's General Plan. The City has since held public hearings on the annexation of the land and its subsequent general plan amendment and rezoning. Given the property's location, its future development whether low or medium-density is inevitable.

Once again, Staff would emphasize that the City's General Plan has many goals and policies that apply to the issues as related to the approval and development of this project. In fact, Staff is hard pressed to find General Plan policies that would favor opposition to this project.

Given the location of the project, its well thought out design, and the need in the City for multiple-family housing, we believe approval of this development plan and its subsequent change from low to medium-density is a good planning decision.

FUNDING: None required



Konradt Bartlam
Community Development Director

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Attachments

APPENDIX A

GENERAL PLAN POLICIES

- The City shall maintain an adequate supply of residential land in appropriate land use designations and zoning categories to accommodate a population-based 2.0-percent per year housing growth rate.
- The City shall promote the development of affordable housing to meet the needs of low and moderate-income households.
- The City shall encourage higher density housing to be located in areas served by the full range of urban services, preferably along collector, arterial, and major arterial streets, and within walking distance of shopping areas.
- The City shall strive to maintain a housing ratio of 65 percent low-density, 10 percent medium-density, and 25 percent high-density in new development.
- The City shall promote the development of a broad mix of housing types.
- The City shall strive to provide for its share of the region's housing needs.
- The City shall time the construction of new development such that the time frame for completion of the needed circulation improvements will not cause the level of service goals to be exceeded.
- The City shall require dedication, widening, extension, and construction of public streets in accordance with the City's street standards. Major street improvements shall be completed as abutting lands develop or redevelop. In currently developed areas, the City may determine that improvements necessary to meet City standards are either infeasible or undesirable.
- The City shall review new developments for consistency with the GP Circulation Element and the capital improvements program. Those developments found to be consistent with the Circulation Element shall be required to pay their fair share of traffic impact fees and/or charges. Those developments found to be generating more traffic than that assumed in the Circulation Element shall be required to prepare a site-specific traffic study and fund needed improvements not identified in the capital improvements program, in addition to paying their fair share of the traffic impact fee and/or charges.
- The City shall require that development frontage design be consistent with the classification of the fronting street. For example, single family residential development should not front arterial streets. Furthermore, all driveways and onsite parking areas fronting arterials should allow two-way access.
- The City shall promote the provision of private open space and recreational facilities as part of new large-scale residential developments to meet a portion of the recreation and open space needs that would be generated by the development.

**TO AVOID DUPLICATION OF LARGER
ITEMS IN THE FILEMAGIC PLUS SYSTEM,
ADDITIONAL BACKGROUND
INFORMATION REGARDING THIS ITEM
IS LOCATED AS FOLLOWS:**

- City Clerk
 - Public Hearings
 - Hearing Date: December 16, 1998